

REMARKS/ARGUMENTS

Applicant thanks Examiner for the detailed Office Action dated November 10, 2005. In response to the issues raised, the Applicant offers the following submissions and amendments. We also enclose a Terminal Disclaimer linking the term and ownership of any patent granted on the present application to that of co-pending USSN 10/760,245.

Amendments

Claim 1 has been amended to clarify that the refill port allows users to refill the printing fluid storage to replace fluid ejected by the printhead. The refilling process is described in detail throughout the specification and illustrated in Figures 35 to 41. Accordingly, the amendments do not add any new matter.

35 U.S.C. §102 - Claims 1-4

Claims 1 to 4 stand rejected for lack of novelty in light of the disclosure in US 6,697,596 to Boyd et al.

The Applicant disagrees. Boyd does not teach a refill port in fluid communication with the printing fluid storage. The openings 86a-86c are inlet openings for fluid communication between the reservoirs 202-204 and the printhead dies 30. They do not allow the reservoirs to be refilled.

The present invention allows the cartridge to be refilled once it has depleted one or more of the ink colors. This is not described suggested in the cited reference. To clarify this distinction, claim 1 has been amended to highlight the purpose and function of the refill port.

In light of the above, US 6,697,596 to Boyd et al does not anticipate claims 1 to 4.

Non-Statutory Double Patenting

The enclosed Terminal Disclaimer links the term and ownership of any patent granted on the present application to that of co-pending USSN 10/760,245. The Applicant submits that this avoids any unjust timewise extension of patent rights or harassment from multiple assignees.

It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration of the application is courteously solicited.

Very respectfully,
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